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REMARKS

Claims 1-4, 6-11, and 13-25 are presently pending in the application. Claims 5 and 12 have been cancelled by this amendment. Claims 18 and 20-22 have been indicated as allowable if amended to include the limitations of the base claim and any intervening claims. Claims 18 and 20-22 have been amended to include the limitations of claim 14 and are now allowable. Claims 1, 9, 14, 18 and 20-22 are in independent form.

Claim 1 has been amended to include the limitations of claim 5. Claim 5 was rejected under §103 over Adolph in view of Marinelli. The Examiner argues that Adolph does not disclose a first, second, or third frequency. Accordingly, Adolph does not disclose communicating the first location at a first frequency suppressing communication of the third location, and communicating the second location at a second frequency. Claim 23, which depends from amended claim 1, clearly defines the frequency as a data transmission interval as opposed a radio frequency having a particular period in amplitude. Again Marinelli teaches a system for continuously establishing a location of a moving object to a remote location. The transmission frequency is particular for each object or vehicle and one set is not changed. While it is true that Marinelli discloses first, second, and third frequencies, the particular frequency or data transmission interval is not associated with a change in location, as required by claim 1. There is no suggestion or motivation to one of ordinary skilled in the art to modify Adolph with the teachings of Marinelli to do so. Marinelli is not concerned with changes in location, but in different objects or vehicles. Accordingly, the combination cannot render claim 1 obvious.

Claim 9 has been amended to include the limitations of claim 12. Claim 12 was rejected under §103 over Marinelli in view of Novik in further view of Adolph. The Examiner now uses Marinelli as the base reference, however, the combination is still lacking for the reasons set forth above. In particular, amended claim 9 requires that the transmission signal be produced based upon a change in location and that particular locations be transmitted at a particular frequency. Again, Marinelli does not teach or suggest transmitting a signal based upon the change in location, and the Examiner has not offered no suggestion or motivation in Novik or Adolph as to why in one of ordinary skilled in the art would modify Marinelli to provide this missing limitation.

Claim 14 was rejected under §103 over Marinelli in view of Goldberg. Claim 14 requires that the first and second locations be communicated at different first and second frequencies. Marinelli provides a system for continuously establishing a location of the moving object to a remote location. The transmission frequency is particular for each object or vehicle and once set is not changed. As stated in column 3, line 66-column 4, line 3, "the length of the periodic transmissions and the time between transmissions may be varied, but, once set remain

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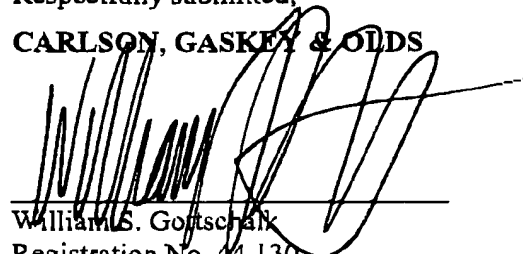
the same for all of the transmissions." The Examiner has argued that it would have been obvious to modify Marinelli with Goldberg for continuously establishing and indicating a vehicle position to a remote location at certain times and locations. However, this already accomplished by Marinelli, and accordingly there is not reason to modify Marinelli with the teachings of Goldberg.

Please charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds \$336.00 for 4 independent claims in excess of 3.

For the reasons set forth above, Applicant submits that the pending claims in the application are allowable. Applicant respectfully solicits allowance of these claims.

Respectfully submitted,

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Marked-up version of claimsIN THE CLAIMS:

Please cancel claims 5 and 12.

Please amend claims 1, 6, 9, 13, 18 and 20-24 as follows:

1. (Twice Amended) A method for transmitting the location of a vehicle to a location remote from the vehicle comprising the steps of:

a) determining a location of the vehicle relative to a road network defined as a first location;

b) determining a change in the location of the vehicle relative to the road network defined as a second location ~~wherein a third location is arranged between the first and second locations;~~ and

c) automatically communicating the location of the vehicle to the remote location based upon said change in location ~~including communicating the first location at a first frequency, suppressing communication of the third location, and communicating the second location at a second frequency.~~

6. (Amended) The method of claim [5] 1 wherein the first and second frequencies are different.

9. (Twice Amended) An apparatus for a navigation system for transmitting the location of a vehicle to a location remote from the vehicle, the apparatus comprising:

at least one position determining device for providing a vehicle location signal;

a database having a map database with a road network;

a processor interconnected to said at least one positioning device and said database for determining the location of the vehicle relative to said map;

a transmitter for producing a transmission signal to the remote location having the location of the vehicle;

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a trigger device for triggering said transmission signal, wherein said triggering device determines a location of the vehicle relative to said road network defined as a first location and determines a change in the location of the vehicle relative to said road network defined as a second location, and said trigger device automatically commands said transmitter to produce said transmission signal based upon the change in location, wherein a third location is arranged between the first and second locations, and said trigger device communicates the first location at a first frequency, suppressing communication of the third location, and communicates the second location at a second frequency.

13. The apparatus of claim [12] 9 wherein the first and second frequencies are different.

18. (Amended) [The method of claim 14] A method for transmitting the location to a location remote from the vehicle comprising the steps of:

a) determining a location of the vehicle relative to a road network defined as a first location;

b) determining a new location of the vehicle relative to the road network defined as a second location;

c) automatically communicating the first location of the vehicle to the remote location at a first frequency; and

d) automatically communicating the second location of the vehicle to the remote location at a second frequency different from the first frequency, wherein the first location is a freeway and the second location is a residential street, wherein the first frequency is less than the second frequency.

20. (Amended) [The method of claim 14] A method for transmitting the location to a location remote from the vehicle comprising the steps of:

a) determining a location of the vehicle relative to a road network defined as a first location;

b) determining a new location of the vehicle relative to the road network defined as

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a second location;

c) automatically communicating the first location of the vehicle to the remote location at a first frequency; and

d) automatically communicating the second location of the vehicle to the remote location at a second frequency different from the first frequency, wherein the first location is a high traffic road and the second location is a low traffic road, wherein the first frequency is less than the second frequency.

21. (Twice Amended) [The method of claim 14] A method for transmitting the location to a location remote from the vehicle comprising the steps of:

a) determining a location of the vehicle relative to a road network defined as a first location;

b) determining a new location of the vehicle relative to the road network defined as a second location;

c) automatically communicating the first location of the vehicle to the remote location at a first frequency; and

d) automatically communicating the second location of the vehicle to the remote location at a second frequency different from the first frequency, wherein the first location is part of a dense road network and the second location is part of a sparse road network wherein the first frequency is greater than the second frequency.

22. (Twice Amended) [The method of claim 14] A method for transmitting the location to a location remote from the vehicle comprising the steps of:

a) determining a location of the vehicle relative to a road network defined as a first location;

b) determining a new location of the vehicle relative to the road network defined as a second location;

c) automatically communicating the first location of the vehicle to the remote location at a first frequency; and

d) automatically communicating the second location of the vehicle to the remote

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location at a second frequency different from the first frequency, wherein the first and second locations have first and second speed limits, respectively, with the first speed limit being greater than the second speed limit, wherein the first frequency is less than the second frequency.

23. (Amended) The method of claim [5] 1 wherein the frequencies define a data transmission interval.

24. (Amended) The apparatus of claim [12] 2 wherein said frequencies define a data transmission interval.